

MAND

05-11757
USDCMA
Judge Keeton

**United States Court of Appeals
For the First Circuit**

No. 06-1383

JOSEPH B. BEY, JR.,

Petitioner, Appellant,

v.

UNITED STATES DEPARTMENT OF JUSTICE,

Respondent, Appellee.

Before

Boudin, Chief Judge,
Selya and Howard, Circuit Judges.

JUDGMENT

Entered: December 12, 2006

After careful review, we grant the motion for summary disposition and affirm the judgment below for substantially the reasons stated by the district court.

Among other considerations, the habeas remedy, 28 U.S.C. § 2241, is extraordinary and limited. The appellant made no showing that the classification infringed any protected interest. It neither extended his sentence nor imposed atypical hardship. Sandin v. Conner, 515 U.S. 472 (1995); Dominique v. Weld, 73 F.3d 1156 (1st Cir. 1996).

United States v. Booker, 543 U.S. 220 (2005), has no bearing on this matter.¹ See, e.g., Cirilo-Munzo v. United States, 404 F.3d 527 (1st Cir. 2005).

¹ Accordingly, the remaining pending motions are denied.

Affirmed. 1st Cir. R. 27.0(c).

By the Court:

Richard Cushing Donovan, Clerk.

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk


Deputy Clerk

Date: 4/6/07

LYNNE ALIX MORRISON

By: _____
Appeals Attorney.

[cc: Joseph Bey Jr., Emily R. Schulman, Esq., Sabita Singh, AUSA,
Dina Michael Chaitowitz, AUSA]